

REMARKS

Claims 19-20, 22, 27, and 29 have been canceled. Claims 1, 4, 21, 23-24, and 28 have been amended to clarify the subject matter regarded as the invention. Claims 1-18, 21, 23-26, and 28 are pending.

The Examiner has rejected claims 1-29 under 35 U.S.C. §102(e) or §103(a).

The rejection is respectfully traversed. Claim 1 recites "determining a plurality of popularities of the plurality of derivative digital media artifacts..." and "submitting a selected popular derivative digital media artifact...for production...into a final media product..." Hanson teaches collaboration through the use of electronic messages and forms. Hanson also teaches that a date and time may be selected on which to send a greeting card signed by a group of users to a recipient. Multiple derivatives of the greeting card are not generated and evaluated for popularity, and a selected popular derivative of the greeting card is not sent to the recipient.

Knight teaches the use of an online message board system. A user may be presented with the most popular messages related to the subject matter of interest to the user from a large collection of message postings. The popularities of different versions of the message board itself are not determined. A popular version of the message board is not selected. Therefore, Knight does not teach determining a plurality of popularities of a plurality of derivative digital media artifacts and submitting a selected popular derivative digital media artifact for production into a final media product.

Neither Hanson nor Knight disclose determining popular derivative digital media artifacts as recited in Claim 1. Therefore, Claim 1 is believed to be allowable.

Claims 2-18 and 21 depend from Claim 1 and are believed to be allowable for the same reasons described above.

Claim 23 recites a system for carrying out the method of Claim 1. Therefore, it is believed that Claim 23 is also allowable.

Claims 24-26 depend from Claim 23 and are believed to be allowable for the same reasons described above.

Claim 28 recites program code for carrying out the method of Claim 1. Therefore, it is believed that Claim 28 is also allowable.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: 2/24/05

William J. James
William J. James
Registration No. 40,661
V 408-973-2592
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014